

REMARKS

Favorable reconsideration of this application, in light of the preceding, amendments and following remarks, is respectfully requested. Claims 1, 7, 15-17, 19-22, 27-28 and 30-37 are pending in this application. By this Amendment, claims 1 and 19-22 are amended. By this Amendment, no claims are added or cancelled. Claims 1, 19, 20, 21, and 22 are the independent claims.

Because the amendments to the independent claims present new issues requiring a further search and/or consideration, Applicants have filed this Amendment along with a Request for Continued Examination (RCE) to ensure its consideration. Any subsequent action other than a Quayle Action or Notice of Allowance should be **Non-Final**. However, in light of the preceding amendments and following remarks, Applicants submit that this application is in a condition of allowance.

Telephone Interview

Applicants thank the Examiner for granting the telephone interview dated June 23, 2009. Although no express agreement was reached, the Examiner indicated that the claim amendments as filed would probably overcome the cited references. In addition, Applicants maintain their position that Hamasaka does not disclose or suggest "the path item including a first navigation command for launching the playlist file and a second navigation command for proceeding to a next path item, the path item providing parental control information for the at least one of video and audio data" of the independent claims for the reasons discussed below.

Rejections under 35 U.S.C. § 103

The Examiner rejects claims 1, 15-17, 19-22, 27-28 and 30-37 under 35 U.S.C. § 103(a) as being unpatentable over Kato (U.S. Patent Publication No. 2002/0145702, hereinafter "Kato") in view of Hamasaka (U.S. Patent Publication No. 2008/0019672, hereinafter "Hamasaka") and further in view of Hamada (U.S. Patent Publication No. 2008-0253742, hereinafter "Hamada"). Applicants respectfully traverse this rejection for the reasons detailed below.

I. Arguments relating to the navigation commands of the path item of claim 1

In contrast to the Examiner's assertions, Applicants submit that Hamasaka fails to disclose or suggest "a navigation area storing a navigation file including a path item, the path item including a first navigation command for launching the playlist file to reproduce and a second navigation command for proceeding to a next path item" of claim 1. For instance, the Examiner asserts that the VIDEO.RT.IFO.FILE of FIG. 7 of Hamasaka corresponds to the "navigation file" of claim 1, and the object information 80 and/or entry point table 80d correspond to the "path item" of claim 1.¹ Applicants submit that the object information 80 and/or the entry point table 80d of Hamasaka do not include i) a first navigation command for launching the playlist file, and ii) a second navigation command for proceeding to a next path item, as required by claim 1.

For example, in Hamasaka, the VIDEO.RT.IFO.FILE contains object information 80 that manages addresses (recording position) of objects, PGC information 50 and 70 that defines playback order and playback time of the data to be reproduced, and video

¹ Referring to page 3 of the Office Action, the Examiner stated that the "entry point table 80" corresponds to the "path item." However, referring to FIG. 7 of Hamasaka, part number 80 refers to the "object information" and part number 80d refers the "entry point table." Therefore, Applicants submit that the Examiner's labels in the Office Action are unclear. None-the-less, Applicants will address the objection information 80 and the entry point table 80d.

manager general information 90. See Hamasaka, paragraph [0075]. The PGC information 50 and 70 indicate playback sequence of cell information 60, 61, 62, 63 indicating the object to play back and a particular playback interval in the object. See Hamasaka, paragraph [0078].

Referring to FIG. 7 of Hamasaka, the object information 80 includes "more information" regarding the object specified in the original PGC information 50. For instance, the object information 80 contains general information 80a about the object, object attribute information 80b, access map 80c to be used to convert the object playback time to a disc address and the entry point table 80d that includes access points to a particular location within the object specified by the original PGC information 50. See Hamasaka, paragraph [0076]. An example of the entry point table is shown with respect to FIG. 14 of Hamasaka. Referring to FIG. 14 of Hamasaka, each entry point is associated with a number of various attributes such as PG_change indicating a program change, PSI_SI indicating a change in the PSI/SI information of the transport stream, as well as other attribute information indicated in paragraph [0149] of Hamasaka.

First, Applicants submit that the object information 80 and/or the entry point table 80d do not disclose or suggest a **first navigation command** for launching the playlist file to reproduce because the object information 80 and/or the entry point table 80d do not *launch* the PGC 50 and 70 (allegedly the playlist file). Rather, as stated above, the object information 80 provides *additional* information about the object being reproduced. The entry point table 80d merely provides various entry points within the object. The entry point table 80d does not *launch* the PGC 50, 70. Applicants submit that the object information 80 and/or the entry point table are not related to the above-identified features of claim 1.

Furthermore, the fact that the user can select a desired playback position does not disclose or suggest a navigation file including a path item that includes a first navigation command for launching the playlist file to reproduce. For example, the Examiner asserts on page 3 of the Office Action that because the entry point table 80d is displayed on a display device, the user has the capability to select a desired playback start position thus giving the user the capability of launching a desired program. In Hamasaka, Applicants do not dispute that a user may indicate where reproduction takes place based on a displayed entry point table. However, neither the entry point table 80d nor the object information 80 of Hamasaka provide a first navigation command for launching the playlist file to reproduce.

Second, Applicants submit that the object information 80 and/or the entry point table 80d of Hamasaka do not disclose or suggest the path item including a second navigation command for proceeding to a next path item. For instance, assuming that the entry point table 80d corresponds to the "path item" of claim 1 (which Applicants do not admit), the entry point table 80d of Hamasaka does not include a command that points to another entry point table 80d. Rather, as stated above, the entry point table 80d merely provides various entry points within the object specified by the PGC information 50. Again, Applicants submit that the entry point table 80d is not related to the "path item" of claim 1. For reasons that are similar, the objection information 80 does not disclose or suggest the path item including a second navigation command for proceeding to a next path item.

Furthermore, in contrast to the Examiner's assertions, the fact that a user has the capability to select or click on one of the entry points in the entry point table 80d for parental control does not disclose or suggest the path item including a second navigation command for proceeding to a next path item. See Office Action, page 3. Again, Applicants submit that the entry point table 80d is not related to the path item

of claim 1 which includes a second navigation command for the reasons discussed above. In addition, according to an embodiment of Hamasaka, the user can set or mark entry points, which are needed for editing, according to the display of entry points, as shown on FIG. 14. When the PGC is edited, the recorder presents only those entry points for which the USER_EP flag is set so that the user is only presented with the selected entry points without being confused by other entry points (e.g., that are automatically set). The fact that the entry point table 80d only provides the entries which the user selected is not a second navigation command that points to a next path item.

II. Arguments relating to the playlist file and the navigation file being separate

Applicants submit that none of the cited references disclose or suggest “wherein the stream file, the clip information file, **the playlist file, and the navigation file** are separate and have different file extensions from each other” of claim 1. According to claim 1, because the playlist file and the navigation file are **separate from each other**, multiple reproduction paths of video data can be effectively embodied. For example, according to an example embodiment shown in FIG. 13 of the present application, because a navigation file that includes path items (e.g., path_item 1, path_item 2, path_item 3 and path_item 4) and playlist files (e.g., PlayList #1, PlayList #2, PlayList #3 and PlayList #4) are separate from each other, the playlist files that are common to each reproduction paths (e.g., PlayList #1 and PlayList #4) do not have to be stored **repeatedly**. The path items of claim 1 may indicate the playlist files such that the playlist files are commonly used by two different reproduction paths.

In contrast, the CELL INFO of Hamasaka is not separated but **included** in the PGCs. For example, when two different reproduction paths, path 1 (CELL INFO#1/CELL INFO#2/ CELL INFO#4) and path 2 (CELL INFO#1/CELL

INFO#3/CELL INFO#4), are embodied by Hamasaka, each of the two paths are embodied by two PGCs because the CELL INFO is not separated but included in the PGCs. Accordingly, duplicate CELL INFO (CELL INFO#1 and CELL INFO#4) are included in each of the PGCs, thus the size of data is larger than that of the present invention. See FIG. 7 of Hamasaka. Therefore, Hamasaka cannot possibly suggest or disclose “wherein the stream file, the clip information file, **the playlist file, and the navigation file** are separate and have different file extensions from each other” of claim 1.

III. Arguments relating to newly amended features of the independent claims

Applicants submit that none of the cited references disclose or suggest “a clip information area storing a clip information file including timing information of the at least one of video and audio data, **the timing information including an entry point map mapping presentation time stamps to source packet addresses of the at least one of video and audio data**” and “a playlist area storing a playlist file including at least one playitem **identifying a pair of in-point and out-point pointing to the presentation time stamps in a clip of the at least one of video and audio data**” of claim 1. For instance, as discussed during the interview, the Examiner acknowledges that cited references probably do not disclose or suggest the features of claim 1.

As admitted by the Examiner, Kato and Hamada fail to overcome the deficiencies of Hamasaka with respect to the above-identified features of claim 1. Therefore, Kato, Hamada, and Hamasaka, alone or in combination, cannot render independent claim 1 obvious to one of ordinary skill in the art. Independent claims 19-22 have been amended to include features similar to the above-recited features of claim 1. Claims 15-17, 27-28 and 30-37, dependent on claims 1 and 19-22, are patentable for at least the same reasons stated above.

The Applicants, therefore, respectfully request that the rejection to claims 1, 15-17, 19-22 and 27-28 and 30-37 under 35 U.S.C. § 103(a) be withdrawn.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

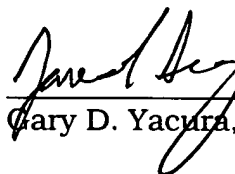
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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